

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:

CASE NO.

05-83036

James A. Holtzen

Linda J. Holtzen

Debtor(s).

CHAPTER 13 PLAN

The Debtor(s) submit to the Standing Chapter 13 Trustee all projected disposable income to be received within the first three (3) years (up to 5 years, if specified) of the plan as follows:

No. of monthly prmts. made to date:			Total paid to date:	\$0
			Month/Year start date:	
A. Payment(s)	1	to 36	September-05	\$10,800
B. Payment(s)		to		\$0
C. Payment(s)		to		\$0
D. Payment(s)		to		\$0
			Base amount:	\$10,800

The payment shall be withheld from the Debtor's paycheck:

Yes: ☒

No: ☐

Employee's name whose payroll is deducted: Debtor: Convergys

Co-Debtor:

Employer's name, address, city, state, phone: 2121 N. 117th Avenue, Omaha, NE 68114

Special Notes:

Amended Plan Notes (if applicable): N/A

Debtor is paid:

Bi-weekly

Co-debtor is paid:

ORDER OF PAYMENT OF CLAIMS

Trustee fees shall be deducted from each payment made by the Debtor(s) to the Trustee.

Claims shall be paid in the following order: 1) Payments due on executory contracts; 2) Section 503(b) administrative expenses including the Debtor's attorney fees; 3) Secured claims; 4) Priority claims in the order specified in section 507(a); 5) Co-signed consumer debts; 6) General unsecured claims. Unless otherwise noted, claims within each class shall be paid pro-rata.

TREATMENT OF CLAIMS

ADMINISTRATIVE AND PRIORITY CLAIMS

All claims entitled to priority under 11 U.S.C. §507 shall be paid in full in deferred cash payments unless the holder of a particular claim agrees to a different treatment of such claim. 11 U.S.C. §1322(a)(2). It is further provided that any and all pre-petition penalties, and post-petition penalties and interest, which have attached or will be attached to any such claim, shall be treated as a general unsecured claim and not entitled to priority. Such claims are as follows:

- Trustee fees shall be deducted from each payment made by the Debtor(s) to the Trustee.

- The Debtor(s)' Attorney applies for court approval of fees in the total amount of \$1,800 (not to exceed \$1,800).

Prior to filing, Debtor(s)' Attorney received \$0 in fees, and the balance of \$1,800 shall be paid through this plan upon confirmation. Costs in the amount of \$200.00 are also allowed.

- Priority Taxes: Federal: \$0 State: \$0 Total: \$0

- Priority child support or Alimony: \$0

SECURED CLAIMS

1st Home Mortgage (Name of Creditor: Homecomings Financial)

Any arrearage shall be paid through the Plan, and the Debtor(s) will pay the regular monthly mortgage payments directly to the mortgage holder.

Estimated Arrearage	Post-confirmation Interest Rate	Pre-confirmation Interest Rate	Dollar Limit (if any) on Pre-confirmation Interest	Total Amount
\$3,000	12.00%	12.00%	No Limit	\$3,587.15

2nd Home Mortgage (Name of Creditor: Wells Fargo)

Any arrearage shall be paid through the Plan, and the Debtor(s) will pay the regular monthly mortgage payments directly to the mortgage holder.

Estimated Arrearage	Post-confirmation Interest Rate	Pre-confirmation Interest Rate	Dollar Limit (if any) on Pre-confirmation Interest	Total Amount
\$0	0.00%	0.00%	No Limit	\$0.00

In re: James A. Holtzen Linda J. Holtzen

3rd Home Mortgage (Name of Creditor: N/A)

Any arrearage shall be paid through the Plan, and the Debtor(s) will pay the regular monthly mortgage payments directly to the mortgage holder.

<i>Estimated Arrearage</i>	<i>Post-confirmation Interest Rate</i>	<i>Pre-confirmation Interest Rate</i>	<i>Dollar Limit (if any) on Pre-confirmation Interest</i>	<i>Total Amount</i>
\$0	0.00%	0.00%	No Limit	\$0

Other Secured Creditors

Name: <u>N/A</u>	Security: <u>N/A</u>	Value: _____
<i>Post-confirmation Interest Rate</i>	<i>Pre-confirmation Interest Rate</i>	<i>Dollar Limit (if any) on Pre-confirmation Interest</i>
_____	_____	<i>Total Amount</i>
		\$0

Name: <u>N/A</u>	Security: <u>N/A</u>	Value: _____
<i>Post-confirmation Interest Rate</i>	<i>Pre-confirmation Interest Rate</i>	<i>Dollar Limit (if any) on Pre-confirmation Interest</i>
_____	_____	<i>Total Amount</i>
		\$0

Name: <u>N/A</u>	Security: <u>N/A</u>	Value: <u>\$0</u>
<i>Post-confirmation Interest Rate</i>	<i>Pre-confirmation Interest Rate</i>	<i>Dollar Limit (if any) on Pre-confirmation Interest</i>
0.00%	0.00%	<i>Total Amount</i>
		\$0

Name: <u>N/A</u>	Security: <u>N/A</u>	Value: <u>\$0</u>
<i>Post-confirmation Interest Rate</i>	<i>Pre-confirmation Interest Rate</i>	<i>Dollar Limit (if any) on Pre-confirmation Interest</i>
0.00%	0.00%	<i>Total Amount</i>
		\$0

CO-SIGNED UNSECURED DEBTS

The following co-signed consumer debts shall be paid in full at the contract rate of interest from petition date.

Name: <u>N/A</u>	Claim: <u>\$0</u>	Int. rate: <u>0.00%</u>	Total: <u>\$0.00</u>
Name: <u>N/A</u>	Claim: <u>\$0</u>	Int. rate: <u>0.00%</u>	Total: <u>\$0.00</u>

LIEN AVOIDANCE

The Debtor(s) shall file a Motion to Avoid the lien of the following creditor(s):

Name: <u>N/A</u>	Name: <u>N/A</u>	Name: <u>N/A</u>
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SURRENDER OF PROPERTY

The Debtor(s) shall surrender the following property of the Secured Creditor holding a lien against such property:

Name: <u>N/A</u>	Property Surrendered: _____
Name: <u>N/A</u>	Property Surrendered: _____

EXECUTORY CONTRACTS

The Debtor(s) reject the following executory contracts:

Name: <u>N/A</u>	Type of Contract: _____
Address: _____	
City/State: _____	
Zip code: _____	

Name: <u>N/A</u>	Type of Contract: _____
Address: _____	
City/State: _____	
Zip code: _____	

The Debtor(s) hereby assume the lease/executory contracts referenced below and provide for the lease payment to be included in the Chapter 13 plan.

Name: <u>N/A</u>	Type of Contract: _____
Address: _____	Security Description: _____
City/State: _____	Number of Payments Remaining Under the Lease: _____
Zip code: _____	

The Trustee shall cure the prepetition lease arrearages in the amount of _____ and commence making the regular monthly lease payments in the amount of _____ with the first payment due on _____ and shall continue the regular monthly lease payments thereafter from each payment made under the plan.

In re: James A. Holtzen Linda J. Holtzen

Name: N/A Type of Contract: _____
Address: _____ Security Description: _____
City/State: _____ Number of Payments Remaining Under the Lease: _____
Zip code: _____

The Trustee shall cure the prepetition lease arrearages in the amount of _____ and commence making the regular monthly lease payments in the amount of _____ with the first payment due on _____ and shall continue the regular monthly lease payments thereafter from each payment made under the plan.

UNSECURED CLAIMS

The unsecured creditors shall be classified pursuant to Bankruptcy Code Sec. 1322(B)(1) in the following manner:

Unsecured creditor class 1:

Description/treatment of sub-class: _____

Name N/A	Claim: _____	Int. rate: _____	Total: _____
Name N/A	Claim: _____	Int. rate: _____	Total: _____
Name N/A	Claim: _____	Int. rate: _____	Total: _____

Unsecured creditor class 2:

All remaining allowed unsecured claims shall be paid prorata of all remaining funds.

ADDITIONAL PROVISIONS

The holder of any allowed secured claim provided for by the plan shall retain a lien securing such claim until the amount for which the claim is allowed as secured or the value of the collateral securing such claim, whichever is less, is paid in full. 11 U.S.C. §1325(a)(5)(B). Property of the estate, including the Debtor(s)' current and future income, shall revert in the Debtor(s) at the time a discharge is issued, and the Debtor(s) shall have the sole right to use and possession of property of the estate during the pendency of this case. In order to obtain distributions under this plan, a creditor must file a proof of claim within 90 days after the first date set for the Meeting of Creditors. Claims filed after this bar date shall be disallowed except as provided in Bankruptcy Rule 3002.

Dated: 08/09/05 .

James A. Holtzen
Linda J. Holtzen

Debtor(s)

BY: /s/ Douglas Robert Lederer

Douglas Robert Lederer
John Turco Law Offices
2580 South 90th St.
Omaha, NE 68124
(402) 933-8600
Attorney for Debtor(s)

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA**

IN THE MATTER OF:) CASE NO: 05-83036
)
James A. Holtzen) CHAPTER 13
Linda J. Holtzen)
)
Debtor(s).)

**NOTICE OF FILING
CHAPTER 13 PLAN
AND NOTICE OF TIME FOR FILING RESISTANCES/OBJECTIONS**

TO: All Creditors and Interested Parties:

You are hereby notified that the Debtor(s) herein has (have) filed a CHAPTER 13 PLAN, a copy of which is attached hereto.

You are further notified that any resistance to the Plan must be filed no later than fourteen days after the 'Meeting of Creditors'. Creditors will receive the 'First Meeting Notice' with the specific date for filing a resistance to the Plan from the Clerk of the Bankruptcy Court, 111 South 18th Plz., Ste 1125, Omaha, Nebraska, 68102-1321

A copy of said resistance shall be served upon the undersigned Attorney. If no resistances are filed, then the Plan shall be approved without further hearing. If a timely resistance or request for hearing is filed and served, the Clerk of the Bankruptcy Court will schedule a hearing upon the resistance with not less than eleven (11) days notice. All hearings shall be held in the Bankruptcy Courtroom at the address listed above.

All objections/resistances shall set forth the specific factual and legal basis for the objection/resistance and conclude with the particular request for relief. If an objection/resistance is filed without the specific factual and legal basis included, the matter will be submitted to the Judge without a hearing.

Dated: 8/9/2005

James A. Holtzen
Linda J. Holtzen

Debtor(s)

By: /s/ Douglas Robert Lederer
Douglas Robert Lederer
John Turco Law Offices
2580 South 90th Street
Omaha, Nebraska 68124-2050
Voice: (402) 933-8600
Fax: (402) 934-2848
Attorney for Debtor(s)

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA**

IN THE MATTER OF:)	CASE NO: 05-83036
)	
James A. Holtzen)	CHAPTER 13
Linda J. Holtzen)	
)	
Debtor(s).)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the described documents:

- 1) CHAPTER 13 PLAN
- 2) NOTICE OF FILING
CHAPTER 13 PLAN
AND NOTICE OF TIME FOR FILING RESISTANCES/OBJECTIONS

were mailed via U.S. Mail, postage prepaid, on 8/9/2005, to all creditors and parties in interest listed on Exhibit "A" attached hereto.

/s/ Douglas Robert Lederer

Douglas Robert Lederer

John Turco Law Offices

2580 South 90th Street

Omaha, Nebraska 68124-2050

Voice: (402) 933-8600

Fax: (402) 934-2848

Amex
PO Box 297812
Fort Lauderdale, FL 33329

Arrow Financial Services
PO Box 1206
Oaks, PA 19456

Arrow Financial Services LLC
21031 Network Place
Chicago, IL 60678-1031

Bank One
c/o Harvard Collection Services Inc
4839 N Elston Ave
Chicago, IL 60630

Capital Management Services, Inc
726 Exchange Street Suite 700
Buffalo, NY 14210

Cavalry Portfolio Services
PO Box 1030
Hawthorne, NY 10532

Chase Bank One
PO Box 8650
Wilmington, DE 19899

Citifinancial
PO Box 22066
Tempe, AZ 85285

Discover Card
P O Box 30395
Salt Lake City, UT 84130-0395

Douglas County Attorney
428 Hall of Justice
Omaha, NE 68183

Douglas County Treasurer
909 Civic Center
1819 Farnam Street
Omaha, NE 68183-0003

First USA Bank
PO Box 8650
Wilmington, DE 19899

GEMB / Sams Club
PO Box 981400
El Paso, TX 79998

Harvard Collection Services Inc
4839 N Elston Ave
Chicago, IL 60630-2534

Homecomings Financial
Cityplace Center East
2711 North Haskell Ave.
Suite 900
Dallas, TX 75204

Household Finance Corp III
916 Weigel Drive
Elmhurst, IL 60126

James and Linda Holtzen
7728 Nebraska Avenue
Omaha, NE 68134

Kathleen A. Laughlin (ECF)
Chapter 13 Trustee
13930 Gold Circle, Ste 201
Omaha, NE 68144

Lee Law Office
4610 S. 133rd Street
Omaha, NE 68137

Margret A. McDevitt
4885 S 118th Street Suite 100
Omaha, NE 68137

Mark Quandahl
4885 S. 118th Street, Suite 100
Omaha, NE 68137

MBNA America
PO Box 17054
Wilmington, DE 19884

MBNA America
P.O. Box 15137
Wilmington, DE 19886-5137

Monogram Credit Card Bank of Georgia
PO Box 103036
Roswell, GA 30076

Nation Wide Credit, Inc.
3600 University Dr.
Suite B-1350
Phoenix, AZ 85034-7296

Portfolio Recovery Associates LLC
PO Box 12914
Norfolk, VA 23541

Sanford Pollack
650 J St Suite 401
Lincoln, NE 68508

Wells Fargo Home Mortgage
PO Box 10335
Des Moines, IA 50306-0335